

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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<b>DAVID A LEFF, D.O.,</b>	:	
Plaintiff,	:	
	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	
	:	<b>NO. 11-5730</b>
<b>CHS PROFESSIONAL PRACTICES,</b>	:	
<b>P.C., et al.,</b>	:	
<b>Defendants</b>	:	

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**ORDER**

AND NOW, this 19th day of November 2012, it is hereby **ORDERED** that pursuant to 31 U.S.C. § 3730(b)(2),<sup>1</sup> Plaintiff shall effectuate service of the Summons and Complaint on Defendants within forty-five (45) days of the date of this Order.

It is so **ORDERED**.

**BY THE COURT:**

/s/ **Cynthia M. Rufe**

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**CYNTHIA M. RUGE, J.**

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<sup>1</sup> 31 U.S.C. § 3730(b)(2) provides that in a case such as this one, a civil action for false claims, “[t]he complaint shall be filed in camera, shall remain under seal for at least 60 days, and *shall not be served on the defendant until the court so orders*. The Government may elect to intervene and proceed with the action within 60 days after it receives both the complaint and the material evidence and information.” (emphasis added). Here, the Complaint remained under seal for several months while the Government considered intervening in the action. The Government declined to do so, the Complaint was unsealed, and Plaintiff was permitted to proceed with the action. The Summons were issued on May 11, 2012, but it does not appear that service has been effected. The Court now orders that Plaintiff serve the Summons and Complaint upon all Defendants pursuant to § 3730(b)(2).